

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
January 8, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Iloreta, Maglalang, and Mandal
Alternates present were Commissioners King (7:58 pm), Mohsin, and Ranker (7:03 pm)
Absent: Commissioners Ortiz, Jr., Pham, and Robinson

**II.
Seating of
Alternates**

Alternates seated were Mohsin and Ranker.

**III.
Pledge of
Allegiance**

Commissioner Cook led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Iloreta, Cook

Ayes: 7
Absent: 2 (King 7:58 pm
Ranker 7:03 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of December 4, 2002.

M/S: Maglalang, Iloreta

Ayes: 7
Absent: 2 (King 7:58 pm,
Ranker 7:03 pm)

**VI.
Announcements**

Chair Garcia announced the appointment of Alternate Craig Ranker. Staff announced the ECO Pass to the Commission. Staff also announced the Water Awareness Calendar which had a Milpitas 4th grade winner. James Lindsay introduced himself as acting staff liaison until March.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Commissioner Maglalang was surprised not to be able to sing religious songs at the tree lighting event last December. He stated they had to decline the invitation to sing at the event. He is requesting to agendaize this item regarding the state and federal laws. Councilmember Polanski suggested staff seek information from the City Attorney and report back to the Commission.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She circulated a photo taken by Bob Burrill, Milpitas High School photographer, who donated a picture to the City of the Twin Towers. She also circulated information on business ethics and globalization from Vice-Mayor Dixon.

She announced the re-appointment of Commissioners Cook and Pham. Commissioner Abelardo was appointed as regular member of the CAC replacing Councilmember Polanski's position. Commissioner King moved to Alternate 1 and Commissioner Mohsin to Alternate 2. Craig Ranker was appointed to Alternate 3 and Chris Lee to Alternate 4.

Councilmember Polanski announced that Milpitas Unified School District Superintendent Fox resigned.

IX. Old Business

a. Finalize 2003 Work Plan

Staff stated the CAC would prioritize the Short and Long Term goals and forward them to the City Council for Approval.

Chair Garcia stated that there was an additional task for the 2003 Work Plan. That is to review increasing the term of the Mayor from 2 to 4 years. Commissioner Mandal asked how this item came to the CAC. Chair Garcia stated this item had been discussed in the past and that Vice-Mayor Dixon felt this item could be considered in addition to the Ethical Campaign Workshop item in the short-term goals.

Chair Garcia stated that there are a few items that are well underway and ready to be completed such as Tree Planting and Neighborhood Night-Out and WATCH program. The 50-Year Anniversary needs to be started as soon as possible. Some of the other items could be later in the year.

Commissioner Maglalang asked if the CAC would recommend to City Council the length of the Mayor's term. Commissioner Mandal asked if the CAC would invite other Commissioners to discuss this item. Chair Garcia stated the intent was that a task force of the CAC would review this item and make a recommendation to the City Council. Councilmember Polanski stated that the CAC would be an excellent Commission to take on this task.

Chair Garcia suggested moving the Thank You Activity to long term. Commissioner Mandal suggested moving the Ethical Campaign Workshop to long term also. Chair Garcia stated that the next campaign is in 2004 and that this item would need to stay as a short-term goal.

Commissioner Abelardo felt that the Mayor term and ethical campaign should be combined.

The Commission prioritized the short and long term goals as follows:

Short-Term Goals

1. Tree Planting
2. Neighborhood Night-Out and WATCH
3. Subcommittee to help plan Milpitas' 50-Year Anniversary Celebration
4. Task Force to review increasing the term of the Mayor from 2 to 4 years

5. Ethical Campaign Workshop
6. Town Hall Meeting
7. Street Sweeping
8. Associations Meeting

Long-Term Goal

1. Cell Phone Usage
2. Thank You Activity

The annual recurring tasks are as follows:

Annual Recurring Tasks

- CDBG public hearing process (March)
- Review City calendar theme and layout (March)
- Host NBO booth at Arbor Day, Global Village, and 4th of July events (on-going)
- Select Neighborhood Beautification Awards (October)
- Holiday social and tree trimming (November)
- Work session for annual work plan (December)

MOTION to approve the prioritization for the 2003 Work Plan and forward to the City Council along with the annual recurring tasks for approval.

M/S: Iloreta, Mandal

Ayes: 8

Absent: 1 (King 7:58 pm)

b. Neighborhood Night-Out Presentation

Commissioner Maglalang gave a presentation on the Neighborhood Night-Out. He presented the Commission with a packet for approval prior to going to the City Council. The main goal is getting to know your neighbors. Chair Garcia stated that there is three components to this project: 1) the packet of information from Commissioner Maglalang, 2) go to community leaders and present this concept and build support among people who are already leaders (i.e. Commissioners), and 3) have City Council approve this effort.

Chair Garcia stated that the presentation is a draft that would be given to the other Commissions to have them become involved in the community. The CAC would be asking other Commissions to help organize in their neighborhoods. City Council, Police Department, and Fire Department support this program. The event is held during the month of August and hopefully being designated by the City Council.

Block captains or volunteers are asked to coordinate the event by advertising in the neighborhood, inviting City personnel, organizing a potluck, etc. The goal is to expand Neighborhood Night-Out and WATCH throughout the City.

The CAC would be asking the City Council to: 1) designate August as the National Night-Out, 2) task the CAC to brief other Commissions and obtain block captains, and 3) task the Milpitas Police Department to present an annual report to the CAC on Neighborhood Night-Out events.

Commissioner Mandal asked about the commitment of the Milpitas Police Department. Commissioner Maglalang stated that the support of the Police Department is that neighbors would be able to speak to the Police one-on-one about security and other concerns.

MOTION to approve the Neighborhood Night-Out program and forward to City Council for presentation.

M/S: Mandal, Iloreta

Ayes: 8

Absent: 1 (King 7:58 pm)

Commissioner Mandal thanked Commissioner Maglalang for a job well done.

**X.
New Business**

a. Selection of Community Advisory Commission Officers

Commissioner Maglalang re-nominated Chair Garcia as Chairperson. There were no other nominations.

M/S: Maglalang, Mandal

Ayes: 8

Absent: 1 (King 7:58 pm)

Commissioner Abelardo re-nominated Vice-Chair Ilorete as Vice-Chair. There were no other nominations.

M/S: Abelardo, Mandal

Ayes: 8

Absent: 1 (King 7:58 pm)

b. Status of Tree Grants

Staff stated that Carol Randisi from Public Works was unable to attend tonight's meeting. Staff suggested postponing this item to the February CAC meeting.

Commissioner Maglalang stated that Our City Forest has planted 1200 trees in the last 2 years in Milpitas. The tree grant for the City of Milpitas has been done. He suggested going to City Council for a separate budget for tree planting or try to obtain another grant. Commissioner Maglalang stated that in the Tree Planting Ordinance, the goal is to plant 500 trees in one year. Commissioner Mohsin asked what the estimated budget would be to plant these trees. Commissioner Maglalang stated it was \$100,000 from the Federal Government to plant 1200 trees.

c. Selection of a 50-Year Anniversary Celebration Subcommittee

Staff stated that as part of the 2002 Work Plan, the City Council approved the CAC participation in the planning of the celebration. Commissioners Maglalang, Abelardo, Mohsin, and Ilorete were selected to form a subcommittee to assist in the planning of this event.

**XI.
Adjournment**

Chair Garcia adjourned the meeting at 8:15 p.m. to the February 5, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
February 5, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Iloreta, Maglalang, and Mandal
Alternates present were Commissioners Mohsin, Ranker (7:03 pm) and Lee
Absent: Commissioners Cook, King, Ortiz, Jr., Pham, and Robinson

**II.
Seating of
Alternates**

Alternates seated were Mohsin and Lee.

**III.
Pledge of
Allegiance**

Commissioner Mohsin led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Abelardo

Ayes: 7

Absent: 1 (Ranker 7:03 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of January 8, 2003.

M/S: Maglalang, Iloreta

Ayes: 7

Absent: 1 (Ranker 7:03 pm)

**VI.
Announcements**

Staff announced the desire to provide more support for the outreach effort for the Neighborhood Night-Out Event from the Milpitas Police Department. Sgt. Petrakovitz will be contacting subcommittee members Commissioners Maglalang, Pham, and Chair Garcia to set up a meeting to continue on the outreach efforts.

Chair Garcia stated the Commissioners Dinner was a great success and well done.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Mike Queenan, 532 Sark Court. He had concerns with the numerous vehicles parked on the street and not enough parking for residents. He did research and is trying to determine what types of residents are in his neighborhood (i.e. single family, etc.). He is concerned some of these residents are violating some of the laws. He is requesting clarifications on some of the ordinances regarding traffic congestion, parking requirements.

Commissioner Mandal suggested staff to research on problem (i.e. traffic, too many vehicles).

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked the Commissioners for attending the Commissioner Recognition Dinner.

The City Council approved building a dog park at Ed Levin Park in conjunction with the County. The City Council finalized the Smoking Ordinance to ensure smoking does not occur within 25 feet of entrances to the City buildings or leased buildings. This ordinance will be effective in 2 weeks. The IT department is researching on City Council broadcasting. The IT department is also working on putting all Public Documents on-line. The City Council approved a design for access to the 3rd floor City Clerk's office at City Hall. The cost would be \$45,000.

The City Manager has asked staff to cut back. The City Council approved expenditure for modular unit for the Senior Center. There was discussion on the 50th Anniversary Celebration for the City. The City Council approved having a task force, which would include Councilmember Polanski and one member from each of the Commissions. The Milpitas School District will be holding an event on building community helping your child with peer pressure on Thursday, March 20, 2003 from 6:00 – 7:30 pm. The event will be held at Randall Elementary School in the multi-use room. It will be a resource fair for the parents. CAC asked staff to agendize this item for the March 5, 2003 CAC meeting.

IX. Old Business

a. Status of Tree Grants

Carol Randisi, Public Works, gave a presentation on the tree grants. Ms. Randisi stated that all trees were planted. \$100,000 grant fund were spent on trees within 2 years. There were 500 trees planted in 01/02, over 700 trees planted in 02/03. The City partnered with Our City Forest in San Jose. Residents help maintain the new trees. There are 7 planting areas; North and South Parktown, Shapell, Manor, Pinewood, and North Park Victoria. Certain trees were selected for certain areas. Residents received tree care instructions at time of planting. Key to program was volunteers.

Commissioner Maglalang asked where do they go from here. Ms. Randisi stated that the goal is to plant 500 trees next FY 03/04. CAC asked staff to agendize the review of the Tree Ordinance for the March 5, 2003 CAC meeting.

X. New Business

a. City Policies Regarding Tree Lighting Ceremony

Staff gave a brief announcement on this item. Commissioner Maglalang asked if it is permissible. He also asked if it is the duty of the CAC to recommend to the City Council that opening this item at the tree lighting. He feels it would benefit the City by inviting other religious groups to the tree lighting.

Councilmember Polanski suggested speaking to the City Attorney for more information.

Chair Garcia suggested tabling this item to the April CAC meeting.

MOTION to table City policies on tree lighting ceremony to the April CAC meeting.

b. Discuss 2003 Subcommittee/Task Force Assignments

Staff stated this was a good opportunity for the Commission to organize subcommittees for the various items on the work plan.

Chair Garcia stated there are 3 task forces underway: 1) tree planting, 2) neighborhood night-out and WATCH and 3) 50 year anniversary.

There are 2 task forces that need to begin soon: 1) increase mayor term from 2 to 4 years and 2) ethical campaign workshop. The task force members for the mayor term are: Chair Garcia, Commissioners Pham, Mandal and Lee. The task force members for the ethical campaign workshop are: Commissioners Maglalang, Ranker, Abelardo, and Vice-Chair Iloreta.

Chair Garcia requested these task forces give a report at the April CAC meeting.

**XI.
Adjournment**

Chair Garcia adjourned the meeting at 8:25 p.m. to the March 5, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
March 5, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Cook (7:20 pm), Iloreta, Maglalang, Mandal, and Robinson
Alternates present were Commissioners Mohsin, Ranker, and Lee
Absent: Commissioners Abelardo, King, Ortiz, Jr., Pham

**II.
Seating of
Alternates**

Alternates seated were Lee, Mohsin, and Ranker.

**III.
Pledge of
Allegiance**

Commissioner Mandal led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Robinson

Ayes: 8

Absent: 1 (Cook 7:20 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of February 5, 2003.

M/S: Iloreta, Mandal

Ayes: 7

Absent: 1 (Cook 7:20 pm)

Abstain: 1 (Robinson)

**VI.
Announcements**

Commissioner Mandal announced an article that was presented in the San Jose Mercury news regarding the Neighborhood Night-Out in other cities by utilizing block leaders to promote this program.

Chair Garcia thanked Commissioners Cook, Mohsin, and Maglalang for presenting the National Neighborhood Night-Out at the City Council meeting. The City Council has given the CAC the green light to go forward with this project.

Staff announced that citizen Mr. Queenan received a package on the concerns he requested from the February CAC meeting. Staff is researching the issue on the pipe line notice for follow up at the next CAC meeting.

Felix Reliford, Principal Housing Planner, announced the Draft Action Plan outline of service programs and activities that will be funded by the City in the upcoming fiscal year. CAPER Report will be brought to the CAC in August.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She complemented the CAC Commissioners for coming to the City Council and giving an excellent presentation on the Neighborhood Night-Out. At a future meeting, the Council will be dedicating August 12th as National Neighborhood Night-Out. She will present information on the tree lighting policy at the next CAC meeting. City staff is working hard to cut back on expenses.

IX. Public Hearing

a. Review of Community Development Block Grant (CDBG) Program Applications of FY 2003-04.

Senior Housing and Neighborhood Preservation Specialist Gloria Anaya outlined the Community Development Block Grant (CDBG) Program, explaining that the City would be receiving \$726,000 in CDBG funds for FY 2003-04 from the Department of Housing and Urban Development. As provided by federal regulations, 20% or \$145,200 of the total grant will be used for General Program Administration.

Per Federal regulations, a total of 15% of the grant, \$108,900 plus 15% of prior year Program Income \$16,349, for a total of \$125,249 is available for Public Services. 65% of the grant or \$471,900 plus (\$202,915.57) for a total of \$674,815.57 is available for Non-public Services. The additional \$202,915.57 is from unused 1999 funds for window bars and Program Income generated by the City's Housing Rehabilitation Loan Program. A revised staff funding recommendation sheet is included in the Commission's agenda packets.

Ms. Anaya informed the Commission that 31 eligible applications were received. However, the O Foundation Commercial Rehab was withdrawn. Therefore, the CAC is reviewing 30 applications, 23 in Public Services and 7 in Non-public Services.

Ms. Anaya explained that each applicant would be allowed three minutes for presentations, and two minutes for questions from the Commission; after public hearing was closed, the Commissioners would be asked to allocate the available funds via the ballot process; and a recess is taken while staff enters each Commissioner's ballot allocation into a spreadsheet which would be totaled and averaged for final discussion and recommendation. The minimum funding level that was established by the CAC and City Council is \$5,000. Ms. Anaya asked that ballot allocations be at \$5,000 or above. Therefore, any of the programs that average less than \$5,000 would need to be redistributed to other organizations.

The recording secretary asked each Commissioner individually if they were currently receiving compensation from any of the application agencies and was informed by each and every Commissioner that they were not receiving compensation from any of the applicant agencies.

A representative from each of the applicant agencies present addressed the Commission with an outline of their agency's functions and how allocated funds would be utilized.

MOTION to close the public hearing.

M/S: Iloretta, Mandal

Ayes: 9

Staff entered each Commissioner's ballot figures into the spreadsheet and presented the results to the Commission for discussion.

Commissioner Iloreta suggested that anything under half of the \$5,000 level be zeroed out.

MOTION to fund Project Sentinel \$8,671 with \$6,329 coming from General Administration to bring it to a total of \$15,000 and allocate Public Service CDBG funds as follows:

Asian American	\$ 5,000
Long Term Ombudsman Program	\$ 5,000
Catholic Charities	\$ 5,000
Milpitas Rec. Svcs – Camp Stay and Play	\$ 5,000
Milpitas Rec. Svcs – Assist. Program	\$14,000
Milpitas Rec. Svcs – Afterschool Stay and Play	\$ 5,000
Emergency Housing Consortium	\$ 5,000
Filipino American Opp. Development	\$ 5,000
Filipino Youth Coalition	\$ 5,000
India Community Center	\$ 5,000
Live Oak Adult Day	\$ 5,000
Milpitas Food Pantry	\$15,578
Next Door Solutions	\$ 5,222
O Foundation	\$ 5,000
Project Sentinel	\$ 8,671*
Santa Clara Family Health Foundation	\$ 5,278
Second Harvest Food Bank	\$ 5,583
Senior Adults Legal Assistance	\$ 5,000
Support Network for Battered Women	\$ 5,917
Sunnyhills Neighborhood Assoc. – Youth and Teen Svcs	\$ 5,000

Total Public Service: \$125,249
***Additional \$6,329 coming from General Admin to cover for Fair Housing activities**

M/S: Mandal, Mohsin Ayes: 9

MOTION to allocate Non-Public Service CDBG funds as follows:

City of Milpitas – Selwyn Park	\$ 72,222.22
City of Milpitas – Senior Center	\$431,815.57
Economic and Social Opportunities	\$ 65,222.22
Emergency Housing Consortium	\$ 25,000.00
Milpitas Housing Rehabilitation	\$ 80,555.56

Total Non-Public Service: \$674,815.57

M/S: Mandal, Ranker Ayes: 9

MOTION to recommend these services to the City Council for funding.

M/S: Mandal, Ranker Ayes: 9

b. Review of Draft Tree Protection and Management Ordinance.

Staff stated that the ordinance has not been totally reviewed by City staff including the City Attorney's office. Chair Garcia suggested tabling this item to the April CAC meeting. All the Commissioners agreed.

c. Discuss Staffing of Booth at MUSD's "Building Community to Fight Peer Pressure" Resource Fair.

Chair Garcia stated this event is scheduled for March 20, 2003 at 6:00 p.m. The event will be held at Randal Elementary School. The volunteers are: Commissioners Cook, Lee, and Mohsin. Staff will provide material on the NBO for this event.

d. Discuss 2003 Subcommittee/Task Force Assignments.

Chair Garcia stated the item needed to discuss this evening is the 50-year Anniversary. The representative from the CAC to assist the City Council is Commissioner Mohsin and the alternate is Commissioner Mandal.

X.

Adjournment

Chair Garcia adjourned the meeting at 11:10 p.m. to the April 2, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
April 2, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Iloreta, Maglalang, Mandal, Ortiz, Jr., and Robinson
Alternates present were Commissioners Mohsin and Ranker
Absent: Commissioners King, Lee, and Pham

**II.
Seating of
Alternates**

Alternates seated was Mohsin.

**III.
Pledge of
Allegiance**

Commissioner Ortiz, Jr. led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Maglalang, Ortiz, Jr.

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the Minutes of March 5, 2003 with one correction under the announcement section, last sentence which reads "CAPER Report will be brought to the CAC in August" Mr. Reliford wanted to clarify that copies of the Draft CAPER will be made available in August. Mr. Reliford did not want to give the impression that it is brought back to the CAC for review.

M/S: Mandal, Mohsin

Ayes: 8

Abstain: 1 (Ortiz, Jr.)

**VI.
Announcements**

Staff stated that Commissioner Mohsin had brought to the attention at the last meeting regarding a warning sent to the residents of Milpitas regarding digging in their yards. The notice was a compliance of State and Federal laws of pipeline awareness to the residents.

Staff announced the Conflict of Interest forms (Form 700) were due to the City Clerk on March 25, 2003.

Chair Garcia thanked the Commission for attending the Randall School event. He also thanked Marina Rush for a job well done as staff liaison and presented her with a gift of appreciation from the Commission.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Mike Queenan, 532 Sark Court – He stated he is back to restate his concerns on excessive vehicles in his neighborhood. He would like the CAC to define the laws excessive vehicles and number of boarders allowed in a single dwelling house. Staff stated that they received background information and sent a package to Mr. Queenan. Staff further stated that they left Mr. Queenan a message asking him to call back if he was not happy with the information, there was no call back.

Jeffrey Davis, 230 Uvas Street – Mr. Davis has concerns with excessive vehicles and boarders. He believes that the garage has been converted.

Stephanie Simoes, 1955 Everglades – Ms. Simoes stated that they have the same issue with excessive vehicles and boarders in her neighborhood.

Staff stated these items will be agendize to the May 7, 2003 CAC meeting.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked the Commission for assisting at the Resource Fair at Randall Elementary School. The City Council proclaimed April as Month of the Young Child. There was discussion on the Passport Acceptance Facility. The City Council requested the City Clerks office to go forward with it by working with the US Department of State and accept applications at City Hall in the City Clerk office for passports. City Council approved the consultant service agreement for the preparation of the library building program. City Council also approved building on the 4th floor of City hall. It would house about 20 – 27 workstations. There would be a larger conference room on the 4th floor. At this point and time redevelopment funds would be used to finish the 4th floor.

IX. New Business

a. Non-Commercial Communication Antenna Ordinance.

Staff stated that other Commissions were asked to provide input for changes to the Zoning Ordinance.

Kim Duncan, Planning Staff, gave a presentation on the Zoning Ordinance. She stated that recent Code Enforcement cases has brought attention to the aesthetic impact residential antennas have on neighboring properties that are not designed safely and in some sort of standardized fashion. The Planning Commission directed staff to include a Zoning code amendment for antennas with other ongoing amendments. The Planning Commission requested input from the Telecommunications Commission, CEPAC, and CAC. Input from the three Commissions would be presented back to the Planning Commission. Aesthetic concerns of the proposed ordinance address are color, height, quantity, and location of antennas as well as the towers and mast. Color restrictions to avoid bright colors showing up. Height restrictions of mast and towers not to exceed the maximum height of zoning districts by more than 25 feet. Quantity will be limited to two (2) antennas support structures. Location is required within the side or rear yard and no closer than 10 feet from a property line. Staff is recommending input from the CAC to forward on to the Planning Commission.

Commissioner Maglalang asked what the reference point from the ground. Staff stated that for ground mounded towers it would be from the ground to the very top. Commissioner Ortiz, Jr. asked what is the qualifications of a structure. Staff stated that building permits would be required. Commissioner Mandal asked if a single family is allowed 55 feet height of antenna. Staff stated that is true. Commissioner Mandal felt

that 55 feet height is too high. Chair Garcia also agreed. Chair Garcia felt that a maximum of 3 antennas is sufficient.

MOTION to recommend to the Planning Commission to review the height and quantity of antennas; to reduce the height and limit the number of antennas on the roof.

M/S: Mandal, Abelardo

Ayes: 9

b. City Tree Lighting Ceremony.

Councilmember Polanski prepared a memo, which provides information on the City Tree Lighting Ceremony. She stated there is opportunity to make changes. There is no policy. At the moment it is standard that this would strictly be an opening of the holiday season done by staff following all the Constitutional guidelines necessary. Actual policies would have to go through the City Attorney to ensure that everyone is welcome to participate.

Commissioner Iloreta asked if there is a formal policy. Councilmember Polanski stated there is not. The City Attorney would have to draft the policy. There would be some kind criteria setup for the event. Commissioner Mandal feels there is no need for a policy. Commissioner Cook agreed. Councilmember Polanski stated that if the format is to be changed then they will need to set forth policy procedures and guidelines. Commissioner Ortiz, Jr. feels a policy should be established and forwarded to the City Council.

MOTION to recommend to the City Council consider a policy to enable a limited public forum into the annual Tree Lighting Ceremony for the cultural expression of groups within the City who may wish to participate.

M/S: Abelardo, Cook

Ayes: 9

c. Discuss Staffing of the NBO Booth at the Arbor Day Celebration.

Staff announced the Arbor Day Celebration is scheduled for Saturday, April 26, 2003 from 10:00 am to 2:00 pm at Yellowstone Park. The CAC has assisted with staffing the booth at past celebrations. The volunteers for this year are: Chair Garcia, Commissioners Robinson, Maglalang, Mohsin, Iloreta, and Abelardo.

d. Tree Ordinance Update.

Staff stated the ordinance is still going through a number of internal reviews. The final draft will be provided to the CAC for review prior to the June 4, 2003 CAC meeting.

e. Discuss 2003 Subcommittee/Task Force Assignments.

National Neighborhood Night-Out:

Commissioner Maglalang stated volunteers are needed to speak at the other Commissions meetings. Chair Garcia stated the task force would be giving a presentation at these meetings. Commissioner Maglalang stated that the target is to get all the volunteer names by June to send forward to the Police Department. The actual event is August 12th.

50th Year Anniversary:

Commissioner Mohsin stated the subcommittee asked the team members go think of ideas of what they would like to see at the celebration. The plan is to put together the cost of the celebration. Commissioner Mandal stated this is an excellent team approach. The committee is working on a logo for the celebration. The celebration is planned for January 26, 2004 and continues all year long.

Ethics Subcommittee

Commissioner Maglalang stated they have gathered information on the registration of voters. He stated that the task force is still in the compiling information stage. There is more information needed.

Term-Length

Chair Garcia stated the task force met in March and developed a plan on how to approach this topic of the Mayor's term going from 2 years to 4 years. During April the task force will be having interviews with past mayors. In May the task force plans to complete the research and interviews and at that point they will be developing the pros and cons and options that are available to the City of Milpitas. In June or July the draft recommendation will be presented to the CAC. The final recommendation from the CAC will be presented to the City Council either in August or September.

X.

Adjournment

Chair Garcia adjourned the meeting at 8:45 p.m. to the May 7, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
May 7, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Cook (7:10 pm), Iloreta, Maglalang, Pham, and Robinson
Alternates present were Commissioners King (7:30 pm), Mohsin and Ranker (7:03 pm)
Absent: Commissioners Abelardo, Lee, Mandal, and Ortiz, Jr.,

**II.
Seating of
Alternates**

Alternates seated were Mohsin and Ranker.

**III.
Pledge of
Allegiance**

Commissioner Robinson led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Maglalang, Robinson

Ayes: 6
Absent: 2 (Cook 7:10 pm
Ranker 7:03 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of April 2, 2003.

M/S: Maglalang, Mohsin

Ayes: 6
Absent: 2 (Cook 7:10 pm
Ranker 7:03 pm)

**VI.
Announcements**

Staff announced the registration form for the Neighborhood Night-out.

Chair Garcia announced that Commissioner Maglalang would be moving on to the Economic Development Commission. Commissioner Maglalang thanked the Commission for his support. Chair Garcia also thanked staff and Commission for a job well done at the Arbor Day Celebration.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Commissioner Maglalang requested that staff look into getting a permit to have food and drinks at future City Hall events. Councilmember Polanski suggested having staff call the County Health department to see if this is feasible.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The council approved a resolution in support of the Vietnamese-American community to commemorate April 30th as the black April Remembrance day and also recognize the yellow flag with three (3) red stripes as the symbol of the Vietnamese-American community in Milpitas. Mayor Esteves requested out-of-state travel to go to the White House in honor of the president of the Philippines. The Mayor will be representing the City of Milpitas at the dinner held on May 19, 2003. The Council approved sending a letter to other cities that are a part of VTA that they should have a vote on the VTA. The Council voted to increase the utility rates effected July 15, 2003.

IX. New Business

a. City Calendar Update.

Staff gave an update on the 2004 City Calendar. In the past years CAC assisted in selecting the theme along with artwork and photos to be included into the calendar. This year the theme to incorporate the City's 50th year anniversary and to use Milpitas proud, past and promising future into the theme. The calendar will show case the history of Milpitas in the past 50 years. The calendar will be mailed to all city residents November 2003.

Commission Mohsin asked about adding other holidays into the calendar. Staff stated that other holidays were included into the calendar and the goal is to also include these holidays in the 2004 calendar. There has been no feedback from the residents in regards to the holidays included in the calendar.

b. Neighborhood Issues.

Staff stated that staff has met with the neighborhood group to identify two main issues which are (1) rooms in single family homes are rented out to numerous people leading to various impacts in the neighborhood and (2) lack of maintenance in residential front yards.

Mike Queenan – 532 Sark Court. Mr. Queenan handed out a summary from the discussions he had with staff. His main concerns are who enforces the codes. Other topics were renting out numerous rooms to people, zoning laws, developing a parking permit program, and excessive vehicles on streets.

Councilmember Polanski stated that the Council did have discussions to tighten up the ordinances. State code defines family, as a family can be other adult relatives living in a dwelling. State law states a 2nd unit can be allowed almost anywhere in the city.

Staff stated Councilmember Polanski brought up a recent statue by the State of California. Staff stated currently, our zoning ordinance does not allow granny flats except in very special circumstances. State law will override local ordinances. The City has to except the State's statue of allowing this 2nd dwelling unit on a single family residential zone property. The question is establishing who is a family member and verification of proof. Mr. Queenan stated the City should be addressing this issue and should be analyzing this very strongly.

Chair Garcia stated three (3) issues were brought up. The first is who does Code Enforcement within the City of Milpitas. Staff stated the Neighborhood Preservation Division addresses these codes or issues. Gloria Anaya, Sr. Housing and Neighborhood Preservation Specialist, stated that the calls come through her section and she and her

staff work with other divisions such as Planning, Building, Engineering, or other resources she needs to pull in. One of the difficulties has been the current definition they have on the books that has not given a whole lot of teeth. It is a complex situation in terms of looking at the state regulations and making sure the City does not violate or discriminate against any particular person.

Chair Garcia stated the second (2) item is zoning laws being kept up to the changing number of demographics. He questioned what is being done about the zoning codes and how are adjustments being made. Staff stated that currently the Zoning law establishes that in this district you cannot rent to more than two (2) people in your home. It does not establish the number of family members you can have living in your home. The regulations are there to protect the quality of life. If the ordinance is not obtaining that objective, the Council could entertain in further directing staff to look at specific areas it is deficient in and going forward and making those modifications.

Commissioner Mohsin asked about fire and safety issues. Staff stated that there is building occupancy limits that are identified within the building codes. Building permits are requested for conversion of a garage to additional room space for adding on additional bedrooms. There is an effort by City Staff using the ordinances to make sure that those bedrooms could not be converted into independent living facilities. Commissioner Maglalang asked about the occupancy limits in a single family home. Staff stated that there is occupancy limits to a single family home. Commissioner Maglalang asked if the Commission has the recommendation to create a policy on the limit of bedrooms to a dwelling. Staff stated that the CAC has not been granted authority to create City policy. Local ordinances cannot conflict with State law.

Commissioner Ranker commented that there is no real method of enforcement for these codes. Staff stated that when a call comes in, Code Enforcement would indeed go out and inspect the situation. Chair Garcia asked if there are any fines. Staff stated not at this time.

Jeffery Davis – 230 Uvas Street. Mr. Davis stated that he had made a complaint about a residence and Code Enforcement did go out and nothing has been done.

Stephanie Simoes – 1955 Everglades. The issue Ms Simoes has is the impact on vehicles on the streets. She suggested having the parking spaces allocated for each single-family dwelling be increased to accommodate the parking situation.

Mr. Queenan added that another issue is the Neighborhood Beautification program. He suggested that the police department should be involved in the program or having a neighborhood watch program. Staff stated currently there is a task force to clean up targeted areas in the city. Mr. Queenan feels the NBO program is a failure. He feels the program needs to be reviewed and have a lot more foot soldiers out in the city. Councilmember Polanski stated that the City Council and City Manager and staff is working very hard to maintain the services they have. She stated there is a hiring freeze at the present and there would be no more hiring. Mr. Queenan suggested having the residents volunteer for various projects such as the NBO program.

Staff stated it took two years to implement the citation power. The citation process is now in full force.

Staff's recommendation is that if Commission chooses to take this on as a work program item, staff suggested taking this item to the Council to amend the Work Plan to include this in the annual Work Plan.

MOTION to amend the CAC Work Plan to include the Neighborhood Preservation subcommittee and forward to City Council for approval.

M/S: Robinson, Mohsin

Ayes: 8

c. July CAC Meeting.

Staff stated that in the past the July CAC meeting has been cancelled. Staff stated that if the Commission does desire to cancel the July meeting, staff recommends the CAC canceling the 2004 meeting as well so it can be reflected in next year's calendar.

Chair Garcia felt the Commission should meet in July. Councilmember Polanski stated that in all fairness to the staff, this would give them a break.

MOTION to cancel the July CAC 2003 and 2004 meetings.

M/S: Iloreta, Mohsin

Ayes: 8

d. Discuss 2003 Subcommittee/Task Force Assignments.

National Neighborhood Night-Out:

Commissioner Maglalang stated he has six (6) volunteers from the Telecommunications Commission. Deadline for registration is June 2, 2003. Chair Garcia stated that they have good support for Neighborhood Night-Out.

50th Year Anniversary:

Commissioner Mohsin stated that the subcommittee has come up with a logo contest and guidelines. This information has been posted on the web and Post. Copies will be mailed to the schools. Deadline for the contest is June 6, 2003. Residents are welcomed to participate. This will be a yearlong celebration. The subcommittee has decided to call the event "50th Birthday". The biggest celebration will be on July 4, 2004.

Term-Length

Chair Garcia stated only one interview has been done so far. They are behind schedule in completing interviews. They will be meeting with two previous Mayors in a couple of weeks. They are still continuing to do research on this item.

Ethics Subcommittee

Commissioner Maglalang presented a draft copy of the presentation. He stated the subcommittee decided not to add names to the presentation. Chair Garcia asked where they obtained their resources. Commissioner Ranker stated they obtained their information from the Institute for Global Ethics. Commissioner Ranker stated the presentation only shows a few of the high lights of the survey taken. Commissioner Ranker stated this policy would educate the public as well as the candidates. The subcommittee recommends the City Council adopt the code of ethics similar to the City of Santa Clara, employ the services of a qualified professional such as Tom Shanks, Ph.D., Director Markkula Center for Applied Ethics at Santa Clara University, conduct ethical conduct workshops which would be mandatory for candidates, and assist in creating an ethics policy for the City of Milpitas.

MOTION to accept the amended proposal on Building Voter Confidence Through Ethical Conduct and forward to City Council for approval.

M/S: Ranker, Iloreta

Ayes: 7

Absent: 1 (*Robinson 8:30pm)

*Commissioner Robinson departed the meeting at 8:30 pm.

X.

Adjournment

Chair Garcia adjourned the meeting at 9:05 p.m. to the June 4, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
June 4, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo (7:08 pm), Mandal, and Pham
Alternates present were Commissioners Ranker and Lee
Absent: Commissioners Cook, Iloreta, King, Mohsin, Ortiz, Jr., and Robinson

**II.
Seating of
Alternates**

Alternates seated was Ranker and Lee.

**III.
Pledge of
Allegiance**

Commissioner Lee led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Ranker

Ayes: 5

Absent: 1 (Abelardo 7:08 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of May 7, 2003.

M/S: Ranker, Pham

Ayes: 4

Absent: 1 (Abelardo 7:08 pm)

Abstain: 1 (Mandal)

**VI.
Announcements**

Staff announced that on May 20, 2003 the City Council amended the CAC Work Plan for 2003 by adding the study of single-family residential homes and the influence that renting could have on residential neighborhoods.

Staff gave out a handout from the FBI regarding Neighborhood Night-Out. The handout talks about partnering with the National Child ID Program and getting inkless finger printing ID kits for different neighborhood night-out events.

Staff also stated the City received an award for the Midtown Specific Plan and Environmental Impact Report from the Northern California chapter of the American Planning Association for best comprehensive planning.

Chair Garcia announced the Filipino Festival on Saturday, June 7, 2003 at 2:00 pm at the Milpitas Community Center. He also stated that the CAC would be participating in the July 4th parade.

VII. Citizens' Forum

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Art Swanson – 311 Carnegie. He stated ethics is his main concern and how money is spent that the City provides other organizations to supply needs to the citizens of Milpitas. Economic and Social Opportunities receives money from the City and he feels that they need to be more professional. Commissioner Ranker wasn't clear as to what the problem was. Mr. Swanson stated that he had repairs done to his house and he signed the papers in pencil and feels that ESO isn't being very professional. Staff asked Mr. Swanson if the issue on the table is if ESO is a recipient of City grant money such as CDBG or other grant funds, that the service level for this organization isn't as well as they should be. Mr. Swanson agreed with staff. Staff will contact the CDBG staff and have them follow through with ensuring the quality of service that is being provided. Staff will also provide a report on the ESO organization at the August meeting.

Jose Esteves – Milpitas. Thanked the Commission for their efforts in the major projects they do for the City.

Commissioner Mandal wanted to thank the Mayor for representing the City at the White House.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She announced that the Mayor was the only mayor throughout the United States that was invited to the White House dinner. The Council adopted all of the resolutions for the redevelopment agency to do the eighth amendment and if everything goes well the City will have the funding sources to continue to do a new Senior Center and Library. The Council was able to secure a deal with the County Board of Supervisors to purchase some land around Elmwood Correctional Facility. They plan to develop land over the next 20 years.

Chair Garcia asked the anticipated use of the land. Councilmember Polanski stated that the City is working on a deal with K&B Builders to build 709 housing units with 140 of those units being affordable housing. Another plan is to build auto dealerships.

Councilmember Polanski stated the Council passed the budget. It is a balanced budget. It does not reduce any services to our citizens at this time or any layoffs. There is still a hiring freeze. The Council approved Cultural Arts support program grants – 10 grants at \$2,000 each. The City of Milpitas does have a flag ordinance.

Commissioner Pham asked the purchased amount of the land bought. Councilmember Polanski stated the City is paying \$135 million over the next 20 years. The purchase of this land will help the City as well as the County.

IX. New Business

a. Draft Tree Protection and Management Ordinance.

Carol Randisi, Public Works Department, gave a presentation on this item. She thanked the Commission for participating in this process. The ordinance that was mailed to the Commission is a hybrid of the Heritage Tree Ordinance and the Tree and Planting ordinance. She stated they took the best of both ordinances and implemented some of the policies that have been discussed by the CAC members in regards to tree planting and

tree preservation. The ordinance defines the goals and cost recovery. It identifies the roles and responsibilities, it provides the flexibility, it provides for master planning to come up with a tree management program. After the adoption of the ordinance there will be a citywide mailing.

Commissioner Pham asked about the \$100,000 grant that the City received. Staff stated the grant was 2 years ago and that they planted all the trees.

Commissioner Mandal asked about the process. Staff stated the next step is that revisions needed to be made and adding in the provisions for the appeal process. Commissioner Mandal also asked about the appeal process. The City Attorney stated that the City does a number of appeals through City employees who are designated as hearing officers.

MOTION to forward the draft ordinance with proper modifications to the City Council for approval.

M/S: Mandal, Abelardo

Ayes: 6

b. Discuss 2003 Subcommittee/Task Force Assignments.

National Neighborhood Night-Out:

Chair Garcia stated that this item is on target. They have had good response from other Commissioners. There is possible 18 neighborhoods participating in this event. He also stated that the idea of having fingerprinting done has really helped with this event. Commissioner Pham stated that 6 people from different neighborhoods want to be block captains. Chair Garcia stated the event will begin at 6:00 pm and end around 8:00 pm on August 12th.

50th Year Anniversary:

Councilmember Polanski stated the logo contest deadline was June 6, 2003 at 2:00 pm. There is a subcommittee from different Commissions. This subcommittee will be making some recommendations on the budget. The committee received a proposal from the Milpitas Post to do a commemorative book. The Post is willing to do all the writing because they have many archive pictures. The recommendation to the Council is to have the 50th birthday the same day as the July 4th celebration.

Term-Length

Chair Garcia stated the task force has completed 3 interviews so far. Once these interviews are done, the task force will review the research materials they have come up with. They are moving forward. The deadline for this task is early next year.

Ethics Subcommittee

Commissioner Ranker stated the task force is waiting to get this item on the City Council agenda. Staff stated that this item would probably be on the August City Council agenda.

Chair Garcia stated that there is a new task for the 2003 Work Plan. It is the Neighborhood Preservation task force. Members of this task force are Commissioners Abelardo, Lee, Pham, and Robinson.

**X.
Adjournment**

Chair Garcia adjourned the meeting at 8:17 p.m. to the August 6, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
August 6, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Iloreto, Mandal (7:45 pm), Mohsin, Ortiz, Jr., Pham (7:10 pm), and Robinson
Alternates present were Commissioners King, Ranker, Lee, and Luna
Absent: Commissioners Abelardo and Cook

**II.
Seating of
Alternates**

Alternates seated were King, Ranker, Lee and Luna.

**III.
Pledge of
Allegiance**

Commissioner Robinson led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Iloreto

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the Minutes of June 4, 2003.

M/S: Ortiz, Iloreto

Ayes: 7

Abstained: 2 (Iloreto, Robinson)

**VI.
Announcements**

Chair Garcia announced the new Alternate Commissioner Nestor Luna. He also announced the new Staff Liaison Tambri Heyden. Chair Garcia also thanked the CAC Commissioners who participated at the July 4th parade. There is a PRT demonstration at the Town Center.

Staff handed out a letter from Paul Tatsuta from ECO addressing a concern previously raised to the CAC by resident Arthur Swanson.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Ray Maglalang, 1346 Lassen Ave. – Mr. Maglalang handed out a picture of a tree he would like to apply for a heritage tree designation. He invited the Commission to the Neighborhood Night-Out in his area.

Rob Means, 1421 Yellowstone – Mr. Means invited the Commission to view the Personal Rapid Transit display at the Town Center. He is asking for feedback on this display.

Don Peeples, 529 S. Main St. – Mr. Peeples invited the Commission to the Neighborhood Night-Out at the Spring Valley Bible Church on August 7, 2003 from 6 pm – 8 pm.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked the CAC for participating in the July 4th parade. She stated she attended the Neighborhood Night-Out at the Pines and Hillcrest. The City received a press release stating that the Mills Group had officially purchased the Great Mall of the Bay Area. She announced the Milpitas Art and Wine Festival scheduled for August 16 and 17. The City Council approved the 50th Anniversary budget of \$50,000. The Council also approved working with the Milpitas Post on a historical book.

IX. Public Hearing

a. Prioritization of Milpitas' Transportation Projects Submitted for VTP 2020.

Joe Oliva, Principal Transportation Planner, gave a brief presentation on the transportation projects proposed to be submitted to VTA for incorporation into the VTP 2020. He stated the VTP 2020 is a long-range transportation data plan for Santa Clara County. It includes highway projects, rail projects, pedestrian projects, and bicycle projects among others. The VTA adopted this plan in the year 2000. The plan is updated every three years.

The public input and review process includes posting in the Milpitas Post, and the City Website, and an Open House, CAC review, Planning Commission review, and City Council Transportation Subcommittee reviews. The final process is going before the City Council.

The following is a list of potential projects provided by staff for recommendation to the City Council for approval.

- Calaveras Boulevard Widening
- Montague/Great Mall – Capitol Avenue Urban Interchange
- Dixon Landing Road Widening
- Dixon/Milpitas Intersection Improvements

Calaveras Boulevard Widening – The major portion of this project would be the replacement of the bridge structure over the Union Pacific Railroad tracks with a six lane bridge complete with 10 foot sidewalks and 6 foot bike lanes. Approximate cost for this project is - \$40 million.

Montague/Great Mall – Capitol Avenue Urban Interchange – Grade separation of the Great Mall-Capitol through lanes over Montague Expressway would greatly enhance capacity and maintain compatibility with the existing elevated light rail structure and future BART. Approximate cost for this project is - \$40 million.

Dixon Landing Road Widening – This project would involve widening of Dixon Landing Road between I-880 and Milpitas Blvd. from 4 to 6 lanes with sidewalks and bike lanes which would further reduce traffic congestion. Right-of way will be needed for this project. Approximate cost for this project is - \$6.0 million.

Dixon/Milpitas Intersection Improvements – This project would provide an additional northbound left turn lane, a southbound right turn lane, and an eastbound turn lane.

Approximate cost for this project is - \$1.0 million (\$105,000 available from developer fees).

The review of projects staff has come up with is a recommended prioritization for submission to the VTA. Staff feels the Calaveras Boulevard improvements should be the number one priority, the Montague/Capitol grade separation be the number two priority, the Dixon Landing Road/North Milpitas Boulevard intersection be the number three priority, and the Dixon Landing Road Widening project be the number four priority.

The next steps are going to the Planning Commission for review on August 13, 2003. On August 21, 2003 the City Council Subcommittee will be reviewing the prioritization and making recommendations to the full City Council on September 2, 2003. On September 30, 2003 applications need to be completed and submitted to the VTA.

Commissioner Mohsin asked whether the plan is a 20-year term. Staff stated the plan itself is a 20 year time horizon. Staff stated in order to be eligible for state and local funding these projects must be included in the plan. Whether or not the VTA would accept all of these projects is doubtful because, the plan does have financial constraints on it.

Vice-Chair Iloreta asked about the ranking of the projects. Staff stated that there are quite a bit of criteria involved for these projects that are submitted. Removing existing bottlenecks, increasing capacity, providing bicycle and pedestrian facilities, safety improvements, etc.

MOTION to open the Public Hearing.

M/S: Iloreta, Mohsin

Ayes: 9

Steve Soriano, 370 Coelho St. – He stated the Calaveras Boulevard project is a worthy project. He suggested that when the bike lanes are considered, he is requesting that the Bicycle Transportation Committee be involved with reviewing that process.

Rob Means, 1421 Yellowstone – He feels that the Montague/Great Mall – Capitol Avenue project should not be in the number two position.

Don Peeples, 529 S. Main St. – He agrees with staff that the Calaveras Boulevard should be the number one priority. He is concerned with sidewalk safety and traffic.

Cindy Soriano, 370 Coelho St. – She feels that the E/B right turn lane would be more appropriate than the left turn lane at the Dixon/Milpitas Interchange. She feels the Calaveras Boulevard widening is extremely dangerous for bicycle commuters.

MOTION to close the Public Hearing.

M/S: Iloreta, Mohsin

Ayes: 9

Commissioner Ranker asked about the projects that do not get funded. Staff stated that the City could choose to go on their own or wait three years for the next process.

Chair Garcia asked if the projects are shared by the City and VTA. Staff stated that on larger projects there is a required local match. For federal projects it is 11-1/2 to 12 percent.

Commissioner Mandal asked if the projects that are put on hold and get resubmitted in the next three years need to be prioritized again. Staff stated that once a project gets accepted into the plan, they believe the projects that do not make it in one cycle generally have a higher priority when the next cycle comes out.

Chair Garcia stated that the main concern of the public is pedestrian and bike safety.

MOTION to recommend the City Council approve the prioritization of projects provided by staff.

M/S: Iloreta, Ortiz

Ayes: 9

**X.
New Business**

a. Selection of NBO Annual Awards Subcommittee.

Staff gave a brief background of the Neighborhood Beautification Awards Program which was established in 2000 to recognize and reward City of Milpitas residents, property owners, and neighborhoods and community groups for improvements and maintenance of their properties or neighborhoods within public view. The program started with only 5 categories and 10 participants. They have expanded to 14 categories and 30 participants for the 2002 awards. Staff recommends the Commission select a subcommittee comprised of three Commissioners to review this year's applications, tour the nominated sites and make recommendations to the entire CAC Commission at the October 1, 2003 meeting. The selected Commissioners for the subcommittee are Luna, Ortiz, and Pham. Staff stated the subcommittee would tour the nominations sometime during the middle of September.

b. Discuss 2003 Subcommittee/Task Force Assignments.

National Neighborhood Night-Out

Commissioner Pham stated that the night-out in her neighborhood would be Sunday, August 10th with an ice-cream social. Chair Garcia stated that there is around 15 Neighborhood Night-Outs to be held this year. He feels the efforts were reasonably successful. The FBI fingerprint kits were too costly and were not available for this year.

50th Year Anniversary

Councilmember Polanski stated that the logo for the 50th anniversary was chosen by the City Council. The City Council approved the 50th Anniversary budget of \$50,000.

Term-Length

Chair Garcia stated there are two more interviews to conduct. This task is still in progress.

Ethics Subcommittee

Commissioner Ranker stated the task force is waiting to get this item on the City Council agenda. The materials have been selected.

Tree Ordinance

Vice-Chair Iloreta stated the task force is also waiting to get this item on the City Council agenda. Councilmember Polanski stated that there is a few concerns with this project and may not be ready for the City Council and may be coming back to the task force.

Neighborhood Preservation Subcommittee

Chair Garcia stated that the members of this task force are Commissioners Abelardo, Lee, Mohsin, and Robinson. This subcommittee has not yet met.

Town Hall Meeting

The subcommittee for this item is Chair Garcia, Commissioners Ortiz, King, and Pham. The subcommittee has asked staff to select a date and time for the Town Hall meeting. Traditionally the Town Hall meeting has been held in the month of October. The objective this year is to evaluate the Town Hall meeting and see if it will be continued in the future.

XI.

Adjournment

Chair Garcia adjourned the meeting at 8:45 p.m. to the September 3, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
September 3, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, and Pham.
Alternates present were Commissioners Ranker, and Luna (7:35 pm)
Absent: Commissioners Iloreta, King, Lee, Mandal, Mohsin, Ortiz, Jr., and Robinson

**II.
Seating of
Alternates**

Alternates seated were Ranker and Luna.

**III.
Pledge of
Allegiance**

Commissioner Pham led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Abelardo, Ranker

Ayes: 5

Absent: 1 (Luna arrived
7:35 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of August 6, 2003.

M/S: Cook, Abelardo

Ayes: 5

Absent: 1 (Luna arrived
7:35 pm)

**VI.
Announcements**

Chair Garcia announced the September 11th Memorial Ceremony to be held out on the Civic Center Plaza at 7:30 pm. Also, St. Elizabeth Church will be having a prayer service at 7:30 pm on September 11th.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked both Chair Garcia and Commissioner Ranker on a job well done in presenting the Ethics proposal to the City Council. The City Council voted to support the recommendations from this Commission. At the August 19th City Council meeting, the Council approved all Commission by-laws.

RGC will be building 285 townhomes in the Midtown area. The Council approved the Michael Hardwood Training and Community Room. Council also approved 19 single-family homes off of Kennedy and Fanyon. The Council adopted the CAC recommendation on the VTA's VTP 2020 Long-Range Plan. The Council is moving forward with the tax allocation bonds and hopefully will do the bonding before Thanksgiving. That will help with a lot of projects in the Midtown area. The Council approved Art in the Park for Hillcrest Park.

IX.

New Business

a. Discuss Neighborhood Night Out Events Held August 12, 2003 In The City.

Staff stated that out of 14 events scheduled, 12 took place and 2 were cancelled. Three of the events were more of a neighborhood party. Attendance varied at each location. Staff contacted all of the individuals who sponsored an event to get the actual numbers attending. Representatives from Police and Fire went to all the events. In addition, a Neighborhood Preservation staff member attended 4 of the events.

Chair Garcia stated he feels that this item needs to be put on next year's work plan. Not enough Commissioners had an event. Commissioner Ranker stated that some areas weren't sure what to do about trash and clean up. He feels next year there should be a packet of information given out to each area. Councilmember Polanski had also visited some of the locations.

b. Discuss 2003 Subcommittee/Task Force Assignments.

50th Year Anniversary

Councilmember Polanski stated that the next full meeting will be September 29, 2003. There are 4 subcommittees. One subcommittee is working on the July 4th event as well as the actual event that takes place on January 26, 2004. One subcommittee is for group events and how to publicize to get the word out to different organizations. One subcommittee will be working with the "Milpitas Post" on the Historical Book.

Term-Length

Chair Garcia stated that this item is still in progress.

Tree Ordinance

Staff stated that task has been circulated among different departments. Some revisions have been recommended and will probably be brought back to the CAC Commission in October.

Neighborhood Preservation Subcommittee

Commissioner Abelardo stated that the task force has not yet met. They are in the process of interviewing people on their concerns.

Ethics Subcommittee

Commissioner Ranker stated this item was presented to the City Council. The recommendation was adopted by the City Council. CAC involvement will be needed at election time. Chair Garcia stated that the involvement of City staff is very crucial. He also stated that a budget needs to be included. Councilmember Polanski stated that the City Council has an approved Ethics policy and that the subcommittee needs to find out what the procedures are and what components are needed and then move forward.

Town Hall Meeting

Staff presented a draft of the announcement that would be put in the "Milpitas Post" or any other newspaper the Commission decides to have it in. Ads in four (4) different languages/newspapers are being evaluated. Staff stated that a ½ page ad would cost \$456 and a ¼ page ad would cost \$273. Staff stated that they would be willing to pay for the ad out of the Community Promotion budget. The ad would run in the "Post" on

September 25, 2003. The translation would hopefully be done in-house. The San Jose Mercury news would charge \$2,000 for a ¼ page and \$3,000 for a ½ page. The ad would be turned into flyers and distributed to all City facilities and schools.

Commissioner Pham suggested that the other Commissions deliver the flyers in their areas. She also stated that she would be willing to volunteer as a contact for the Vietnamese translations after hours.

Staff mentioned that if they wanted to do additional advertising, Leslie Stobbe in Engineering/Utilities would be willing to pay for advertising if recycling was mentioned somewhere in the ad.

Councilmember Polanski asked if the public would understand what is meant by the agenda topic called "Occupancy Concerns". Staff stated that the topics they want to bring out at the Town Hall meeting are items of interest which staff has received concerns and complaints about. The City Attorney will be doing a presentation on this subject.

Chair Garcia stated short presentations would be given from different departments. Each presentation would last three (3) minutes followed by a questions and answer period.

Staff handed out a draft agenda and asked for information from the CAC on different items that needed to be done. Door prizes would be given out. Light refreshments would be served. Chair Garcia stated that the subcommittee is looking at having a guest speaker attend the Town Hall meeting to speak on community involvement to get the public out to attend.

Staff contacted IS in terms of having a portion of the program taped so that it could be run on Channel 15 so viewers could get the benefit as well. IS recommended that the Town Hall meeting be held at the Council Chambers because it has better equipment. Staff stated that this would be difficult for set up. Commissioner Ranker feels that the Council Chambers should be used. Staff stated that the meeting should still be held at the Community Center in order to keep it all in one central area. Councilmember Polanski stated that in the Council Chambers the meeting would be telecast live. She stated that this is the make or break Town Hall meeting to see if the public would come out and if it turns out to be a big success then have it at the Council Chambers next year. Chair Garcia feels it is a better advantage to have it in the Community Center Auditorium.

Councilmember Polanski suggested that one of the topics should be on Ethics. This might bring out the public also.

Staff stated that door prizes would be given out. Commissioner Pham volunteered to help with asking different companies about donating door prizes. Councilmember Polanski suggested asking Albertson's with donating some of the refreshments.

Staff stated that the advertisement would be on Channel 15, the City web site, and also the marquee in front of City Hall.

Mr. Queenan from the audience asked what makes a Town Hall meeting a success. Chair Garcia stated that having 100 in attendance would make a successful Town Hall meeting. Mr. Queenan stated that there should be better advertising. It should state topics that the community would be interested in. Chair Garcia stated the Commission has tried to have a Town Hall meeting the last three (3) years and will decide to continue or not after this year's meeting.

X.

Adjournment

Chair Garcia adjourned the meeting at 8:40 p.m. to the October 1, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
October 1, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Mandal, Mohsin, Pham, and Robinson (7:30 pm). Alternates present were Commissioners Ranker, Lee (7:08 pm), and Luna. Absent: Commissioners Iloreta, King, and Ortiz, Jr.

**II.
Seating of
Alternates**

Alternates seated were Ranker, Lee, and Luna.

**III.
Pledge of
Allegiance**

Commissioner Abelardo led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Mandal

Ayes: 8

Absent: 1 (Lee, arrived
7:08 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of September 3, 2003.

M/S: Abelardo, Mohsin

Ayes: 7

Abstain: 1 (Mandal)

Absent: 1 (Lee, arrived
7:08 pm)

**VI.
Announcements**

Chair Garcia announced the Town Hall meeting on Thursday, October 9, 2003 at 7:00 pm in the Community Center Auditorium.

Staff announced that an affordable housing unit is available for sale and to contact Felix Reliford for any questions. Staff also announced that a copy of the new CAC bylaws were included in their packets.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Neola Swanson, 311 Carnegie – Mrs. Swanson Expressed concern about her home not being done yet from the housing rehabilitation loan she received from the City. Gloria Anaya, Sr. Housing and Neighborhood Preservation Specialist, stated that City Inspector, Jim Dutton, has spoken to Mr. Swanson regarding securing a designer to draw up the plans for their home. The plans have been submitted to the City this week. She stated

that she will be in contact with the Swanson's on a weekly basis. Commissioner Ranker asked how long it will be before the work is started. Ms. Anaya stated the loan still has to go through the Loan Committee for approval and the homeowners must agree on the work write up to be done. The City then has to put the job out to bid.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. There was discussion on the BART Extension to San Jose. The VTA will be meeting at City Hall on October 6, 2003 at 12:30 pm in the Council Chambers at City Hall. The Council approved out-of-state travel for several people to go to New York to meet with bonding agencies and insurers for the Redevelopment Agency. There was discussion about next year's Commissioners Dinner. There were suggestions on having the event later in the summer and having a barbeque or having an appetizer or dessert social gathering. In lieu of presenting a gift to the Commissioners, it is being considered whether the Commissioners would like to gift a piece of art to the entire City for the 50th anniversary. There was discussion from staff about a proposed sidewalk ordinance. Council has directed staff to research this item based on the California Streets and Highway Code. Council has also directed staff to bring this back to the CAC as well as the Planning Commission for public comment review prior to an ordinance for sidewalks.

IX. Public Hearing

a. Review of Community Development Block Grant (CDBG) Funding Priorities for FY 2004-2006.

Gloria Anaya from staff stated that the City Council established the policy of reviewing the Community Development Block Grant (CDBG) funding priorities in January 1998. The last time the funding priorities were adopted by Council was November 2001. The next cycle will be February 2004. In accordance with HUD guidelines, the City of Milpitas has split its CDBG funding allocation between public services (typically, non-profit organizations offering services which predominately benefit lower income households) and non-public services (other funding categories including housing activities). During the next fiscal year 2004-2005, the City of Milpitas expects to receive \$726,000 in CDBG funds.

Since November 2001, the following priorities have been established:

Public Service

1. Senior Services
2. Homeless Sheltering / Services
3. Child Care
4. Youth Teen Services
5. Crime Prevention
6. Battered Women Sheltering / Services

Non-Public Service

1. Home Repair / Rehabilitation
2. New Affordable Housing Construction
3. Rental Rehabilitation

Since the City of Milpitas became an entitlement city in 1997, CDBG services and activities have been extremely beneficial in assisting Milpitas' low and moderate-income residents. Furthermore, Milpitas has received positive feedback from HUD on meeting its goals and objectives outlined in the five-year Consolidated Plan (2002-2007). Given the success of the existing priorities, staff is recommending that the CAC maintain the

existing priorities for the next two fiscal years for 2004-2006 with the following exceptions.

1. Staff recommends moving Public Service priority #4 to #2 for Youth Teen Services. During the past several years, the City has used CDBG funds to assist the Parks and Recreation Division with three new programs. Given the success and popularity of these new programs, staff recommends revising the priority ranking to maintain appropriate funding for these programs in the future.
2. Staff recommends deleting crime prevention from the priority ranking. During the past six years of being a CDBG entitlement city, the CAC and City Council have funded this priority only once for the Residential Security Bars Program for the Fire Department. This program was funded in 1999 for \$24,750, of which only \$7,139 was spent and the remaining balance was reprogrammed two years ago.

Staff stated that the CAC recommendations that are made tonight will be forwarded to the City Council on October 21, 2003.

Chair Garcia opened the Public Hearing.

Gina Cardinale of Second Harvest Food Bank – Ms. Cardinale stated that Second Harvest Food Bank Operation Brown Bag is a senior citizen program that provides food to seniors aged 55 years and over. During the past year, Ms. Cardinale stated they have served 290 senior households and 400 individuals in Milpitas.

MOTION to close the public hearing.

M/S: Mandal, Abelardo

Ayes: 9

Commissioner Mohsin asked about the priority ranking. Staff stated it depends on the services each agency provides.

Chair Garcia read a letter from Vice-Chair Iloreta regarding the amounts for each agency. Chair Garcia also stated that the CAC needs to know more about CDBG and the process and what is involved. Councilmember Polanski suggested that there should be a workshop prior to the funding of CDBG funds with the CAC on how to allocate funds and explain the ranking process. Commissioner Mandal agrees that the CAC should have a work session. Staff stated that the workshop should be geared to the CDBG process and matrix.

Chair Garcia stated that staff recommends the public service priorities would be changed to the following:

1. Senior Services
2. Youth Teen Services
3. Homeless Sheltering / Services
4. Child Care
5. Battered Women Sheltering / Services

The non-public services would remain the same:

1. Home Repair / Rehabilitation
2. New Affordable Housing Construction
3. Rental Rehabilitation

Commissioner Ranker asked why #5 - Battered Women Sheltering is in last position. Staff stated that seniors have always been the number one priority. The City is required by CDBG regulations to fund homelessness and address the issue of homelessness. Teens were changed because over the last couple of years there are three programs that this Commission has forwarded to the Council to fund in regards to recreation. Councilmember Polanski clarified that the facility for battered women moved to a different city, which affected its priority.

Commissioner Ranker asked about gauging public demand on some of these services. Staff stated that the City monitors each agency by having them submit a quarterly report as required by HUD.

Staff stated that they spoke to the Chief of Police and Fire Chief regarding omitting crime prevention and they had no objection to it.

Councilmember Polanski asked if there are any types of preschool or pre-kindergarten programs allowed in the CDBG funding. Staff stated that there was as long as they benefit low-income households.

MOTION to recommend the City Council maintain the current established funding priorities for FY 2004-2006 with the deletion of Crime Prevention and moving priority #4, Youth Teen Services, to priority #2 under the Public Service Category.

M/S: Mandal, Mohsin

Ayes: 9

X. New Business

a. Campaign Code of Ethics Next Steps.

Staff stated that on September 2, 2003, City Council approved the CAC's recommendations regarding campaign ethics. The Council's action specifically was to prepare a campaign code of ethics similar to Santa Clara's that would cover not only candidates, but Council members, other Commissioners, and employees as well. Secondly, the Council took action to employ the services of a qualified professional to lead ethical conduct workshops and to assist in preparation of a campaign code of ethics.

Staff stated it was determined that the existing SOP would need to be modified to limit it to a financial code of ethics and that this should be added to the scope of work. Staff is proposing the next steps begin with:

1. Staff preparation of a draft RFQ for CAC review at their November 5, 2003 meeting.
2. Mail out of RFQ week of November 10th with responses due by December 3rd.
3. CAC status report of RFQ responses at the December 3, 2003 CAC meeting.
4. Review of RFQ responses and selection of consultant by January 2, 2004.
5. Recommendation to City Council to approve consultant contract at the January 20, 2004 City Council meeting.

Commissioner Lee asked if there was a budget yet for the consultant. Staff stated no there was not. Commissioner Mandal asked how many consultants there were. Staff stated that they have just started research on this kind of work.

Chair Garcia asked if any of the CAC is on the City's working group. Staff stated that this is a staff group and that they would bring back status reports every month to the Commission for input.

Councilmember Polanski presented videos to the Commission on Boards and Commissions. She stated that these tapes would be beneficial for candidates. She also recommends showing this video at the November CAC meeting.

Chair Garcia stated this is a training program for candidates and staff for next year. Commissioner Mandal stated that this training program should be ongoing. He is pleased with staff's presentation. Commissioner Ranker requested that staff add information to the packets next month regarding availability of resources. Commissioner Mandal suggested showing the video at City Hall.

MOTION to approve the next steps as the process for carrying out the Council's September 2, 2003 action regarding a campaign code of ethics and related education program.

M/S: Ranker, Luna

Ayes: 9

b. Review of Proposed Heritage Tree Nomination Process.

Staff stated that the subcommittee prepared revisions to the existing tree ordinance and those revisions have been circulated to the various staff departments who looked at them to assess the impact on resources and enforcement and the relation to policy decisions currently being evaluated by management that are related to this issue. Based on the need to revisit some of the components of the proposed revisions prior to forwarding them to Council for adoption, staff will be presenting recommendations for further revisions to the ordinance at the November CAC meeting. One part of the work plan task that was put on hold while the ordinance was being crafted was the Heritage Tree program component.

Staff, Carol Randisi, stated that the purpose of the program is to help raise awareness about the City's heritage trees, and to help recognize and protect these trees. Any individual may request a heritage tree designation with written consent by the property owner. The nomination form would be submitted to the Public Works department. The CAC would review any of the nominations in January, May, and October. Heritage tree recommendation status by the CAC will be forwarded to the City Council for designation. Inventory would be compiled by the Public Works department and maintained by the City Clerk. Permits would be needed to prune such a tree. There would be guidelines to care for the heritage trees. The property owner would need to submit a request to the CAC for removal of a heritage tree.

Commissioner Lee thanked staff for a great program and wanted to know if the nomination form was available. Staff stated that it is still in the review process and would be forwarded to Council with the ordinance.

Commissioner Pham asked if the tree ordinance would be disclosed to all realtors. Staff stated that there was discussion on having a workshop for anyone who is interested in learning about the ordinance.

Commissioner Robinson asked how often the ordinance is enforced. Staff stated they receive calls daily. There are about 60 service requests issued per month. Code Enforcement has the authority to levy fines.

Commissioner Mandal asked who designates a tree as a heritage tree. Staff stated that the property owner would have to give written consent in order for a tree to be designated as a heritage tree.

MOTION to approve the draft heritage tree program process and nomination form with consideration for a designation sign for the heritage tree.

M/S: Mandal, Mohsin

Ayes: 9

c. Discuss 2003 Subcommittee/Task Force Assignments.

Neighborhood Preservation Subcommittee (Abelardo, Lee, Mohsin, and Robinson)

Mr. Queenan stated that he has driven around neighborhoods. There is garbage scattered all over. He wanted to reaffirm the need to continue with enforcement. There are street issues that need to be addressed. He stated that he and his neighborhood are willing to help the City. Chair Garcia stated that the subcommittee would be in contact with him on these issues.

Gloria Anaya of staff stated that she would be opening up service requests on all the addresses Mr. Queenan handed her and follow up on these requests.

Commissioner Mandal asked if there is any enforcement behind garbage can issues. Staff stated if there are any other solid waste issues associated with a garbage can situation they have not issued any citations. Many times when a letter is sent to the property owner, he is not aware of the ordinance. It is a matter of education.

Councilmember Polanski stated that if any one has an issue to be sure to report it to the Code Enforcement department.

Mr. Queenan stated that where you have the poorest looking areas you usually have drug issues and other issues that go with that. Mr. Queenan suggested that realtors provide new homeowners with rules of the City.

Commissioner Ranker commented on the fees of parking permits for residential areas. Commissioner Abelardo asked the length of the permits. Mr. Queenan stated that Santa Cruz has 30-day parking permits.

Mayor's Term-Length (Garcia, Lee, Mandal, and Pham)

Interviews have been completed. A report will be brought back to the Commission at the November CAC meeting.

Town Hall Meeting (Garcia, King, Ortiz, and Pham)

The agenda is set. There is a lot of publicity coverage. Chair Garcia felt staff has done a marvelous job of communicating. Chair Garcia praised Gloria Anaya for a job well done.

50th Year Anniversary (Mohsin, Alternate-Mandal)

The logo has been approved. There will be joint celebrations with other City events throughout the year. The subcommittee is asking anyone who might have historical photos to please let them know. They are working on a historical book.

XI.
Adjournment

Chair Garcia adjourned the meeting at 9:10 p.m. to the November 5, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
November 5, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Iloreto, Mohsin, Pham, and Robinson. Alternates present were Commissioners Ranker, Lee, and Luna. Absent: Commissioners King, Mandal, and Ortiz, Jr.

**II.
Seating of
Alternates**

Alternates seated were Ranker and Luna.

**III.
Pledge of
Allegiance**

Chair Garcia led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Abelardo, Mohsin

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the Minutes of October 1, 2003.

M/S: Mohsin, Abelardo

Ayes: 8

Abstain: 1 (Iloreto)

**VI.
Announcements**

There were no announcements.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Rob Means, 1421 Yellowstone (representative for the Sunnyhills Neighborhood Association) – Mr. Means stated that the association was concerned with the plans for BART. There will not be a BART station in their area. He stated that they are looking to provide some type of electric shuttle service. Personal Rapid Transit (PRT) is the technology they are looking at right now that seems to make sense. This system could link all of Milpitas reasonably economically. The association is presently doing presentations out to the public explaining what PRT is all about. Mr. Means requested to give a presentation to the CAC at a future meeting. Chair Garcia stated that this would be agendaized at either the December or January CAC meeting.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The Council approved some new Fire Department fees. The Council also approved the CDBG priorities that the CAC recommended. The City sold the RDA bonds. The City received a double A credit rating to market the bonds. The City is doing \$30,000,000 worth of projects this year. The Council and the Milpitas Unified School District held a joint meeting to reaffirm their partnership. Councilmember Polanski announced the Veterans Day Celebration on November 11, 2003 at 9:00 am. The 50th Anniversary committee met to discuss the program for January 26, 2004 from 7:00 – 8:00 pm.

IX. Old Business

a. Discussion of October 2003 Town Hall Meeting Outcome.

Staff provided the Commission with some data regarding comparison from last year versus this year with respect to efforts related to preparing for the meeting, preparing flyers and handouts for the meeting, hours for staff who monitored booths as well as those that gave presentations, number of attendees (60 last year, 45 this year), and number of complaints (16 last year, 10 this year). A significant amount of money was spent this year compared to last year on advertising. Staff recommended the Commission weigh the benefits and costs to decide whether or not to continue having these meetings.

Vice-Chair Iloreta asked what was the nature of the meeting and whether some of the issues were a repeat from last year. Staff stated that the basic concerns that were asked about last time were repeats. The concerns were about the same situations.

Commissioner Ranker asked about the cost for advertising. Staff stated this year advertising was done in several newspapers to reach out to the non-English speaking community.

Chair Garcia suggested this might be the wrong forum and wrong approach on how to do this and are there other ways. He suggested as part of the work plan for next year that perhaps using a different approach other than the Town Hall meeting to increase outreach and attendance and to televise it be discussed. Commissioner Ranker suggested having it televised using a call in approach with a small panel of members to answer questions from the community that calls in. Chair Garcia suggested having this item tabled to the 2004 work plan discussion.

X. New Business

a. Neighborhood Beautification Appreciation – 4th Annual Awards Program.

Staff stated that at the August 6, 2003 CAC meeting, the Commission formed a subcommittee to tour the nominated sites and make recommendations to the Commission. This year there were 16 nominations received by the August 31, 2003 deadline. The sites were toured on October 2, 2003 by the subcommittee. The award winners will receive an award gift and declaration, and all nominees will receive a certificate of appreciation. The results will be posted on the City website, cable TV, and the Milpitas Post. Awards will be distributed at the City Council meeting December 2, 2003, with a break for refreshments and a celebration. Staff recommends the Commission review and approve the subcommittee and staff's NBO 2003 award recommendations.

MOTION to approve the subcommittee and staff's NBO 2003 award recommendations.

M/S: Ranker, Cook

Ayes: 9

b. Holiday Social and Tree Decorating Celebration.

Staff stated that up until 2001, the CAC has held an event for the public and Commission to join together in decorating a tree in the City Hall lobby for the holiday season. This included a potluck provided by the CAC and is usually held Thanksgiving weekend. Last year, since there was no indoor tree planned for the new City Hall lobby, the event involved decorating an outdoor tree. The Public Works Department and Recreation Department started a new tradition of creating a wonderland out in the plaza area. Last year, 10 trees were provided. Lights were hung. Businesses and organizations could sponsor a tree by paying a \$250 fee and decorating it as they pleased.

Last year attendance was slim by both the CAC and the public. Due to the windstorms of last year, the decorations were damaged. New decorations would need to be purchased if the Commission decided to continue this event. The tree would have to be decorated on November 30, 2003 between the hours of 10:00 am and 2:00 pm. Decorating would have to be done by the CAC and not staff. Staff recommends that the CAC appoint one of its members to have the decorations available at the event and lead in the decorating and flyer distribution efforts, if they decide to continue this event this year.

The Vice-Chair asked what businesses or organizations could sponsor a tree. Staff stated any business or service organization could participate in the event.

Staff stated that if the Commission decided to have the event, they must be fully committed to doing this event, since it is during the Thanksgiving weekend when staff will not be available. Commissioner Pham volunteered to participate and take the lead in this event. There was a consensus to not invite the public, so there will be no public advertising or potluck. Staff will purchase new decorations and have them available for the lead CAC member prior to the event. Commissioners participating in the event are: Robinson, Cook, Pham, and Abelardo.

MOTION to participate in this year's tree decorating.

M/S: Robinson, Mohsin

Ayes: 9

c. Review of Ethics Program RFP and viewing of video titled, "Ethics and the Elected Official: Avoiding the Slippery Slope" from the League of California Cities Institute for Self Government.

Staff stated due to technical difficulties, the video titled, "Ethics and the Elected Official: Avoiding the Slippery Slope" will be held over to the December CAC meeting. At the last CAC meeting, the Commission approved a staff proposal for the next steps in carrying out the Council's September 2, 2003 action. That action would cover campaign candidates, City Council Members, Commissioners, and City employees. The second part of the action is to employ the services of a qualified professional to lead ethical conduct workshops and to prepare the ethics code. Staff did a walkthrough of the proposed RFP schedule for the Commission. Consultants will be given about 2 weeks to respond and staff is looking to select consultants the week of December 10th. Interviews would be held December 10th and would be reviewed by a panel of in-house staff and a CAC member. Staff suggested the CAC Chair. The contract would be brought to the Council for approval January 20, 2004. The goal is to have the training task done by the end of June 2004 in advance of the November election.

Vice-Chair Iloreta asked how many consultants staff has in mind. Staff stated this is a very specialized line of work and they have collected names of less than ten consultants.

MOTION to approve the RFP, with minor changes provided by Ranker and Iloreta.

M/S: Ranker, Robinson

Ayes: 9

d. Mayor's Term Length.

Chair Garcia stated that the purpose of the subcommittee was to look at changing the term length of the Mayor from 2 years to 4 years. The subcommittee looked at other communities, looked at information from a public policy source, and interviewed 3 former Mayors. All 3 former Mayors agreed with the 4 year term. Changing the term length would allow a more strategic view and more of a long-term plan. Because of the regional boards that the Mayor serves on, it is better to be a 4-year term. That will allow the mayor to have a greater say in several regional forums. It would take less campaign funding. Having to campaign every 2 years is a distraction. The subcommittee recommends placing this on the ballot to change the Mayor's term length from 2 years to 4 years. They also recommend that there be a 2 term limit, a maximum of 8 years in the position of Mayor. This is commonly done in most cities.

Commissioner Lee added that it takes a couple of months to get acquainted with the position, which also takes away from the 2 years in office. He also stated that one of the former Mayors stated that it would be more appropriate to have the term length the same as the council members.

MOTION to accept the draft as submitted with the exception of the one line above the recommendation on Page 4 of the attachment, which will be deleted from the recommendation to the City Council.

M/S: Garcia, Robinson

Ayes: 9

Councilmember Polanski suggested staff get clarification from the City Clerk's office or City Attorney about the term limits, how the vote was, how things are, and what the process is. This could be a totally different process that they would need to go through for something that was already voted by the people. It could be much more complicated than they might want to move forward with. The Commission directed staff to get the clarification on the term limits and bring it back to the CAC.

e. Discuss 2003 Subcommittee/Task Force Assignments.

Neighborhood Preservation Subcommittee (Abelardo, Lee, Mohsin, and Robinson)
Commissioner Robinson thanked Gloria Anaya for her help on this item. Commissioner Lee stated that the subcommittee met on 3 occasions. One of the meetings was to discuss the NBO ordinance. He also stated that the subcommittee would focus its efforts on one or two key issues, which the CAC can take action on.

50th Year Anniversary (Mohsin, Alternate-Mandal)
Commissioner Mohsin stated that the Milpitas Post is working very hard to gather information.

Tree Ordinance/Heritage Tree Program (Iloreta)
Staff stated that there is a delay in this item. An update would be brought back to the Commission at their December meeting.

**XI.
Adjournment**

Chair Garcia adjourned the meeting at 9:28 p.m. to the December 3, 2003 meeting.

Respectfully submitted,

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
December 3, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Iloreta, Mandal, Mohsin, Pham, and Robinson. Alternates present were Commissioners Ranker and Lee. Absent: Commissioners King, Luna, and Ortiz, Jr.

**II.
Seating of
Alternates**

Alternate seated: Ranker

**III.
Pledge of
Allegiance**

Commissioner Cook led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Abelardo

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the minutes of November 5, 2003.

M/S: Mohsin, Iloreta

Ayes: 8

Abstain: 1 (Mandal)

**VI.
Announcements**

Chair Garcia thanked Commissioner Pham for leading the tree-decorating event.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The City Council has commissioned Carlo Moss to go forward with the cartwheel sculpture. The Commissioners of all the Commissions have decided to give a gift in lieu of a present at the Commission dinner. The sculpture will hopefully be in place by the 4th of July celebration. The 4th floor of City Hall will be completed and furnished by the end of December. The bonds for the RDA were sold for \$200 million dollars. A City calendar presentation was made at the Council meeting last night. The calendars will be mailed in a couple of weeks. The City Council is working with property owners on Carlo/Main to underground utilities. Two positions are open on the Planning Commission. Councilmember Polanski thanked Chair

Garcia for giving the Mayoral term lengths recommendation presentation at the City Council. NBO awards were presented at the Council meeting also. The Council also honored the Milpitas Fire Department firefighters who fought the fires down south.

IX.
New Business

a. Special CDBG Workshop Session for CAC Commissioners.

Staff stated during this year's CDBG funding cycle (FY 03-04), it was suggested to hold a CDBG workshop for the Commissioners before their next funding cycle (FY 04-05). Possible dates of holding the workshop would be January 14th or 21st. It is also possible to have the workshop during the Commission's regular meeting on January 7, 2003. A 45-minute staff presentation has been done in the past and the session could last about 1-½ hours depending on length of discussion.

Vice-Chair Iloreta preferred having the workshop during the January 7th meeting. Commissioners Pham and Mandal also agreed.

Councilmember Polanski suggested skipping the task force update and reports and focusing on the workshop if the desire was to combine the workshop with the regular meeting.

MOTION to have the CDBG workshop at the January 7th meeting.

M/S: Ranker, Mandal

Ayes: 9

b. CAC 2004 Work Plan.

Staff provided a list of the current 2003 work plan for the CAC as follows:

Annual Recurring Tasks

- CDBG public hearing process (March)
- Review City calendar theme and layout (March)
- Host NBO booth at Arbor Day, Global Village, and 4th of July events (on-going)
- Select Neighborhood Beautification Awards (October)
- Holiday social and tree trimming (November)
- Work session for annual work plan (December)

Short-term Goals/Projects

1. Tree planting (in progress)
2. Neighborhood Night-Out and Watch (completed)
3. Subcommittee to help plan Milpitas' 50-Year Anniversary Celebration (in progress)
4. Task Force to review increasing the term of the Mayor from 2 to 4 years (in progress)
5. Ethical Campaign Workshop (in progress)
6. Town Hall Meeting (on hold)
7. Street Sweeping (in progress)
8. Associations Meeting (on hold)

Long-term Goals/Projects

1. Cell Phone Usage (no progress)
2. Thank You Activity for City Staff (no progress)

Staff stated many of these items would be carried over to the next year. The Heritage Tree program nominations will be a new responsibility of the CAC. Chair Garcia also stated that it will be a very busy year next year and that many of these items would be carried over.

Commissioner Mandal stated the Commission needs to prioritize the items that could be finished next year.

Chair Garcia stated the tree-planting goal is still in progress and should be finished next year. Everyone will be automatically involved in the 50-year Anniversary celebration so it should be deleted. The Mayor's term length is still needing work but will have a short time line. The ethical campaign workshop will be finished in June or July. The Neighborhood Preservation task will be carried over and lasts throughout the next year. He also stated that the Commission will need to decide whether or not to have the Town Hall meeting.

Commissioner Mandal stated the Commission needs to speak to the other Commissions in regards to the Neighborhood Night-Out. More outreach and research needs to be done on this item.

Commissioner Mohsin indicated he wanted to add street crossing in front of the high school as a task for next year. Councilmember Polanski stated that there is a City school communications meeting that meets monthly that consists of the Mayor, Vice-Mayor, President, Vice-President, City Manager, and Superintendent who discuss these issues. She also stated that many safety issues have been greatly improved. Vice-Mayor Dixon also agreed that many of these issues have been improved.

Commissioner Ranker suggested a desire to get youth involved in government. Councilmember Polanski stated there is a student board representative that is elected by the student body of Milpitas High School who attends all of their school board meetings. Part of the requirements for the government classes of Milpitas High School is for the students to attend the City Council meetings.

Commissioner Ranker felt that the student could expand their role in government to the Commission organization. Commissioner Mandal agreed that this would be a great idea.

Commissioner Mandal asked what is being done to show their appreciation to staff. Councilmember Polanski stated that the City honors staff with the Gene Schwab award and the annual service awards luncheon held during the summer. Staff also stated that each individual department has recognition programs during the year. Chair Garcia stated that one of the long-term goals is the Thank You Activity for City Staff.

Commissioner Pham stated that the Commissioners are also involved in other community programs or functions.

Councilmember Polanski felt that the Town Hall meeting was not cost effective and that the Commission should think about having the meeting every other year and not every year.

Vice-Mayor Dixon suggested having the Commissions serve food at the annual service award luncheon. Chair Garcia felt this would be a good idea.

Staff asked if the holiday social would continue next year. Commissioner Mandal also asked if other Commissioners were invited to the Holiday social. Staff stated that in the past the other Commissions and public were invited to participate in this event. The turnout however has been very low so this year it was extended only to the CAC. Chair Garcia stated only 3 Commissioners showed up. Chair Garcia asked the Commission if this event should continue. Councilmember Polanski asked if the Commission thought of having a potluck at the December meeting instead of a tree-trimming event. Commissioner Iloreta suggested having a short meeting in December and then having a potluck after. Chair Garcia asked how many would want to continue with the tree. There were 5 that voted yes and 4 that voted no. He then asked how many would want to have a social at the December meeting that would include other Commissions. There were 8 that voted yes and 1 that voted no.

Based on the foregoing discussion, the proposed 2004 CAC Work Plan is as follows:

Annual Recurring Tasks

- Heritage tree nominations (January, May, October)
- CDBG public hearing process (March)
- Review City Calendar theme and layout (March)
- Participate in Arbor Day – NBO booth and Tree City USA designation (April), Global Village, and 4th of July parade (July)
- Tree trimming (November)
- Holiday Social (December meeting with invitation to all Commissioners)
- Work session for annual work plan (December)

Short-term Goals/Projects (prioritized)

1. Tree Planting – Complete a heritage tree ordinance (in progress) and promote tree planting through outreach and tree protection awareness
2. Mayoral term length and term limits – Assess increasing the term of the Mayor from 2 years to 4 years and consider term limits (in progress)
3. Ethics Code and Training – Monitor consultant project progress and provide input (in progress)
4. Neighborhood Preservation/Street Sweeping – Assess whether neighborhoods are overcrowded and recommend strategies to preserve neighborhoods (in progress)
5. Neighborhood Night-Out and Watch – Review to determine whether CAC should continue hosting these August events and whether to develop an expanded information packet for neighborhood associations on how to host this event
6. Town Hall Meeting – Review to determine whether to continue hosting this October event and whether a different forum would be better
7. Associations Meeting – Develop an outreach program to neighborhood associations to obtain feedback on community issues

Long-term Goals/Projects (prioritized)

1. Thank You Activity/Recognition for City Staff – Plan an activity to recognize the work of City staff or participate in the preparations for the annual employee service awards celebration
2. Youth Involvement in Government – Develop a process to get youth involved in local government, possible initiating a youth representative on the CAC

MOTION to approve the proposed prioritized work plan above to be forwarded to City Council for approval.

M/S: Mandal, Mohsin

Ayes: 9

c. Status of Ethics Program RFP and viewing of video title, “Ethics and the Elected Official: Avoiding the Slippery Slope” from the League of California Cities Institute for Self Government.

Staff and Commission viewed the video. Staff stated the RFP was mailed November 7, 2003 and the submittal deadline was November 25, 2003. Staff received only one proposal from Dr. Shanks from Santa Clara University. Staff had mailed the RFP to seven organizations and institutions that specialize in this type of work. There is a team of staff and a CAC representative, Craig Ranker, who will be meeting December 5th to score the submittal and to discuss whether to renotece the RFP. Councilmember Polanski stated that education is critical for the upcoming election. Commissioner Ranker asked if it was legal to accept one application or do they need more. Staff stated that they could go with the one application.

d. Mayor’s Term Length Recommendation to Council and Term Limits.

Commissioner Lee stated that the presentation was made at the December 2nd City Council meeting. There were a few changes in the interview quotes that were given originally. There were plenty of questions from the Mayor and Council members. They felt additional research was needed if this item is to be put on the ballot.

Chair Garcia stated that the City Council requested the following additional tasks from the CAC:

- Public input
- Further analysis to ensure the case is well-established for changing from two years to four years
- Study term limits and make a recommendation on the term limits that would be acceptable to the public
- City Attorney to prepare a timeline with deadlines for putting this issue on the ballot

Chair Garcia stated that when Supervisor McHugh disagreed with the contents of the report that threw some doubt as to the validity of the report. At this point, he feels a letter is needed to the City Council explaining what their observations were. Based on their notes, he feels they owe the Council a clarification of Supervisor McHugh's quote.

e. Discuss staff recommended revisions to Draft Heritage Tree Ordinance.

Staff stated the original work plan item was a Heritage Tree Ordinance and the Heritage Tree program was brought to the CAC in October, which the CAC endorsed to be forwarded to the City Council. Currently there is a Tree Planting Ordinance that needs some updating rather than taking a new Heritage Tree Ordinance and incorporating it into the Tree Planting Ordinance. Staff has drafted a new ordinance, which combines the CAC's proposed Heritage Tree Ordinance, and the existing Tree Planting Ordinance for the Commission to review.

Carol Randisi, Public Works, stated that the draft Heritage Tree Ordinance also covered a lot of things that are covered in the existing Tree Planting Ordinance. Staff developed a separate Heritage Tree Program with the nomination process and put a brief description of that in the Tree Ordinance. The Heritage Tree process and the program itself are actually separate from the ordinance now. Staff stated that this was an opportunity to look at the Tree Ordinance that really needed some updating. It also gave staff the opportunity to consider what the City was currently doing with private and public trees. The existing ordinance states that the City would protect all trees whether they are public or private. By taking the heritage trees out of the ordinance, the trees could be on private or public property. They would be designated as trees with special significance that requires special protection. Private trees have been omitted from the Tree Planting Ordinance. The Planning Department will revise their current Zoning Ordinance to include protection for trees on non-residential property. The plan is to take the proposed Tree Protection and Management Ordinance, which is the revision of the existing Tree Ordinance, which has the Heritage Tree process in it and Planning's revision to the Zoning Ordinance to the Council all at once for approval. This would be a good guideline when developing in the Midtown Plan area.

Commissioner Pham asked if a new development goes up would the City fine them if they cannot save the trees. Staff stated that an arborist would assess the property at the beginning of the development process to see if there are any trees on the property that the City feels are valuable to save. The City will then work with the applicant to see if that can be accommodated.

Commissioner Mohsin asked how would the heritage trees be identified. Staff stated that it is not currently in the policy, but can certainly be modified. There will be a listing of identified trees. The heritage trees would need the property owner's approval before they become heritage trees. The property owner would be a part of the nomination process.

MOTION to approve the draft Tree Protection and Management Ordinance as presented with minor editing changes to be forwarded to City Council for approval.

M/S: Iloreta, Mandal

Ayes: 9

f. Discuss 2003 Subcommittee/Task Force Assignments.

Chair Garcia stated since all of the items were discussed early in the meeting, this item would be skipped.

X.

Adjournment

Chair Garcia adjourned the meeting at 9:30 p.m. to the January 7, 2004 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary